

THE  
ROTH LAW FIRM  
PLLC

December 13, 2023

**VIA ECF**

The Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street, 14A  
New York, NY 10007-1312

**Re: *Margaret Ratner Kunstler, et. al. v. Central Intelligence Agency, et. al.*, 22 Cv. 6913 //**  
**Letter Amendment to Add New Paragraph 36A to the First Amended Complaint**

Dear Judge Koeltl:

We represent Plaintiffs in the above-captioned action. We are writing in reply to the submission by defendants Central Intelligence Agency and Mike Pompeo (collectively, “Defendants”) (Dkt. No. 74) in response to Plaintiffs’ letter amendment adding Paragraph 36A to the First Amended Complaint. (Dkt. No. 73).

In light of the fact that Defendants have formally withdrawn their argument that the First Amended Complaint should be dismissed for failure to allege the absence of a search warrant or the unreasonableness of the search of Plaintiff’s electronic devices, we respectfully ask the Court to deny Defendants’ motion to dismiss in its entirety for the reasons we stated in the opposition brief and oral argument.

We thank the Court for its consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Richard A. Roth", with a stylized initial "R" and a long horizontal flourish extending to the right.

Richard A. Roth, Esq.